

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

STRECK, INC., A Nebraska  
Corporation;

Plaintiff,

vs.

STEVEN RYAN, CAROL RYAN, and  
BARRY UPHOFF,

Defendants.

**8:17CV494**

**PROGRESSION ORDER  
(AMENDED)**

IT IS ORDERED that the parties' motion, (Filing No. 72), is granted and the final progression order is as follows:

- 1) The deadline for completing written discovery under Rules 33, 34, and 36 of the Federal Rules of Civil Procedure is August 21, 2019. Motions to compel discovery under Rules 33, 34, and 36 must be filed by September 20, 2019

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 2) The deadlines for complete expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

Affirmative expert reports: August 21, 2019.

Rebuttal reports: September 20, 2019

- 3) The deposition deadline is October 7, 2019.
- 4) The deadline for filing motions to dismiss and motions for summary judgment is October 28, 2019.
- 5) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is October 28, 2019.

- 6) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 7) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 8) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 1st day of July, 2019.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge